

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 469

September 27, 1995, 1:01 p.m.
Page S-14363 Temp. Record

VA-HUD APPROPRIATIONS/Superfund, Water Infrastructure, CEQ

SUBJECT: Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill for fiscal year 1996 . . . H.R. 2099. Lautenberg motion to waive the Budget Act for the consideration of the Lautenberg modified amendment No. 2788.

ACTION: MOTION REJECTED, 45-54

SYNOPSIS: As reported, H.R. 2099, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill for (fiscal year) FY 1996, will provide a net of \$80.98 billion in new budget authority, which is \$8.9 billion under the Administration's request, \$1.3 billion more than provided in the House-passed bill, and \$8.9 billion less than provided in FY 1995.

The Lautenberg modified amendment would increase the bill's funding level: for the Superfund Program by \$431.6 million (to \$1.435 billion); for capitalization grants for State revolving funds to support water infrastructure financing by \$328 million (to \$1.828 billion); and for the Council on Environmental Quality by \$1.1 million (to \$2.1 million). The amendment would require changes in Budget Act limits in order to accommodate these spending increases. Further, it would require the Finance Committee to limit the application of any tax cuts which it might propose in the reconciliation bill to families with incomes of less than \$150,000.

Debate was limited by unanimous consent. Following debate, Senator Bond raised a point of order that the amendment violated the Budget Act for exceeding the discretionary appropriations cap and for exceeding the revenue ceiling. Senator Lautenberg then moved to waive the Budget Act for the consideration of the amendment. Generally, those favoring the motion to waive favored the amendment; those opposing the motion to waive opposed the amendment.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive the Budget Act. Following the failure of the motion to waive, the point of order was upheld, and the amendment thus fell.

Those favoring the motion to waive contended:

(See other side)

YEAS (45)			NAYS (54)			NOT VOTING (1)	
Republicans (1 or 2%)	Democrats (44 or 96%)		Republicans (52 or 98%)	Democrats (2 or 4%)		Republicans (1)	Democrats (0)
Cohen	Akaka	Inouye	Abraham	Inhofe	Exon	Faircloth- ²	
	Baucus	Johnston	Ashcroft	Jeffords	Kerrey		
	Biden	Kennedy	Bennett	Kassebaum			
	Bingaman	Kerry	Bond	Kempthorne			
	Boxer	Kohl	Brown	Kyl			
	Bradley	Lautenberg	Burns	Lott			
	Breaux	Leahy	Campbell	Lugar			
	Bryan	Levin	Chafee	Mack			
	Bumpers	Lieberman	Coats	McCain			
	Byrd	Mikulski	Cochran	McConnell			
	Conrad	Moseley-Braun	Coverdell	Murkowski			
	Daschle	Moynihan	Craig	Nickles			
	Dodd	Murray	D'Amato	Packwood			
	Dorgan	Nunn	DeWine	Pressler			
	Feingold	Pell	Dole	Roth			
	Feinstein	Pryor	Domenici	Santorum			
	Ford	Reid	Frist	Shelby			
	Glenn	Robb	Gorton	Simpson			
	Graham	Rockefeller	Gramm	Smith			
	Harkin	Sarbanes	Grams	Snowe			
	Heflin	Simon	Grassley	Specter			
	Hollings	Wellstone	Gregg	Stevens			
			Hatch	Thomas			
			Hatfield	Thompson			
			Helms	Thurmond			
			Hutchison	Warner			

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

The Lautenberg amendment would provide needed funding for environmental programs and would pay for its largesse by limiting tax breaks for the rich. First, the amendment would restore \$432 million for the Superfund Program. Without this funding, fewer hazardous waste sites will be cleaned up, which means that the people who live near these sites will continue to be exposed to toxic and often lethal chemicals. We recognize that this program has had some problems, but the solution is to correct those problems without cutting funding. In total, this funding cut will mean a delay in remediation activities at some 260 sites in 44 States. Second, the amendment would restore funding for clean water State revolving funds. These funds are given seed capital by the Federal Government, but are intended to become self-sustaining. The purpose of these funds is to create a capital source for States so that their cities and towns will be able to comply with the Federal mandates in the Clean Water Act. States report that it will cost \$126 billion to comply with the waste water treatment standards in that Act. We think we have a responsibility to help them meet the mandates we have placed on them, so we support the additional funding that would be provided by the Lautenberg amendment. Third, the amendment would give the Council on Environmental Quality (CEQ) an additional \$1 million. We think the CEQ has been doing an admirable job of coordinating the Administration's environmental policies. Giving it additional funds will enable it to expand its activities, and thereby result in even more focused environmental policies. To pay for the increased funding in the amendment, the Lautenberg amendment would limit tax breaks for the rich that we know many Senators plan to include in the reconciliation bill. By giving tax breaks only to average Americans, more than enough savings would be realized to pay for this amendment. The Lautenberg amendment offers Senators a choice between paying for tax breaks for the rich or for toxic waste cleanup and clean water. For us, the choice is obvious; we support the latter, so we support this amendment.

Those opposing the motion to waive contended:

Though we strongly support protecting the environment, we also oppose the spending increases contained in the Lautenberg amendment, and we strongly oppose increasing the deficit to accommodate those spending increases. Some of the proposed spending in this amendment is objectionable, and some is merely excessive given current fiscal constraints.

The first, and largest, spending increase proposed by the amendment would be for the Superfund Program. This increase would be a serious mistake. From its inception, the Superfund Program has been an utter disaster. Billions of dollars have been spent with little to show for it. We have studies by the dozens that unanimously detail the extreme problems in this program and that suggest solutions, but nothing has been done. Every Senator is aware of the morass of Superfund litigation; every Senator has heard from the small businesses in their States that have been bankrupted because 30 years ago their trash was hauled to a site that became a Superfund site; every Senator has heard about the EPA requirements that have demanded that sites be made so clean that children could eat the dirt daily without harm. Each year the Superfund list grows, but so far only 70 sites have been cleaned up to EPA specifications (which are designed on an ad hoc basis for each area to be cleaned). Perhaps the most telling fact comes to us from the General Accounting Office: two-thirds of the Superfund sites that are currently on the list do not pose a threat to human health now or in the future. It is based on this fact that we have proposed a large cut in Superfund funding in this bill. More than enough funds will be provided for areas that need immediate action, but for the two-thirds of the sites that do not pose a threat, a delay will cause no harm. That delay will in fact save money while reforms are enacted to make sure that the program actually results in remediation instead of endless, harassing litigation.

The next spending increase in the Lautenberg amendment is a proposed doubling of funds for the CEQ. We have mixed feelings on the CEQ's performance. It has had some positive impact in coordinating the Administration's environmental policies, but it has also been guilty of duplicating efforts of other Federal agencies. If we were to double funding as proposed, our expectation is that it would engage in even more duplicative efforts. The House provided \$0 for the CEQ in its bill; we provided the same amount as was given last year. We assure our colleagues that in conference we will argue to preserve this small agency, but we cannot vote for doubling its size.

The final proposed spending increase by the Lautenberg amendment is for State revolving funds. This increase is difficult to argue against; we very much favor this type of funding. In fact, this bill will eliminate numerous earmarks in order to be able to afford a \$300 million increase for State revolving funds. If our colleagues had proposed a reasonable offset to pay for the additional \$328 million that would be given by the Lautenberg amendment, we would have found this increase to be praiseworthy.

Unfortunately, the supposed offset for this increase and for the other spending increases in this amendment is fake. The amendment expressly provides that the Budget Act would be adjusted to allow every penny of the Lautenberg amendment's new spending to be added to the deficit. Then, this amendment would supposedly recoup this extra deficit spending by limiting any tax reductions enacted on the reconciliation bill to families earning less than \$150,000. Our colleagues are very eager to suggest ways that we can spend the fiscal dividend that will occur from balancing the budget. In fact, they are so eager to tell us how to spend this dividend (which they had no hand in helping to create), that they are willing to spend it before it even exists.

This country is massively in debt because Congress has been willing for the past 3 decades to spend money that did not yet exist. For years, Members have been willing to borrow money from future generations to pay for current programs. The Lautenberg amendment is in this same irresponsible vein, and should therefore be rejected.